

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Municipal Administration & Urban Development Department – Hyderabad
Metropolitan Development Authority – Change of Land Use of the land from
Residential Use Zone to Commercial Use Zone in Pr.No.1-3-1, Kavadiguda,
Hyderabad to an extent of 8400 Sq. yards – Draft variation – Notification –
Confirmation – Orders – Issued.

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MUNICIPAL ADMINISTRATION AND URBAN DEVELOPMENT (I₁) DEPARTEMENT

G.O. Ms.No. 40,

Dated:22.01.2011.

Read the following:

1. From Sri A.L. Sudershan & others Representation dated:
18.03.2010.
2. From the Commissioner, Greater Hyderabad Municipal
Corporation, Hyderabad Lr.No. 839/TPS/HO/ GHMC /2010,
dated: 21.04.2010.
3. Government Memo No.6169/I₁/2010-3, MA & UD Dept.,
Dated:10.09.2010.
4. From the Metropolitan Commissioner, Hyderabad
Metropolitan Development Authority, Hyderabad Letters
No.10879/Plg./H/2010, Dated:11.10.2010, 10.11.2010 and
29.11.2010.

ORDER:

The draft variation to the land use envisaged in the Revised
Development Plan (Master Plan) of erstwhile Municipal Corporation of
Hyderabad (Hyderabad Metropolitan Development Authority) issued in the
Government Memo 3rd read above, was published in the extraordinary issue
of Andhra Pradesh Gazettee No.497, Part-I, dated: 14.09.2010 inviting
objections /suggestions from the public if any within the stipulated period
i.e., fifteen days from the date of publication of the notification. The
Metropolitan Commissioner, Hyderabad Metropolitan Development Authority
has also published the said notification in local News Papers i.e., in the Hindu
and Andhra Jyothi News Papers on 15.10.2010 inviting objections and
suggestions as specified in sub-section (3) of Section 15 of HMDA Act, 2008.

2. In response to the above notification, Sri G. Chennaiah, State General
Secretary, Mala Mahanadu has raised the following objections:

- i. The proposed constructions will cause sound pollution to the
slum areas of surrounding localities.
- ii. Traffic hurdles will arise leading to many problems to the
surrounding people.

3. The Metropolitan Commissioner, Hyderabad Metropolitan Development
Authority has reported that the said premises had a cinema theatre by name
'Kalpana Talkies' existing which has been demolished and the site is now
vacant. The said site is a well-defined area abutting the main road leading
from Kavadiguda to Musheerabad Junction and the site is distinctly separated
and bounded by roads on the remaining sides. The stated slums are located
in the interior of the area away from the main road and said premises. The
apprehension of the objection petition with regard to noise pollution and
traffic hurdles to the slums is therefore unfounded.

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4. Government after careful examination of the objection with reference to the report of the Metropolitan Commissioner, Hyderabad Metropolitan Development Authority, found that the objections raised are not valid and the proposed site is away from the slum localities. Hence it is rejected. The draft variation is confirmed.

5. The appended notification shall be published in the Extra-ordinary issue of the Andhra Pradesh Gazettee Dated: 27.01.2011.

6. The Metropolitan Commissioner, Hyderabad Metropolitan Development Authority shall publish a notice in news papers as specified in sub-section (4) of Section 15 of HMDA Act, 2008 on or before the date of Gazette Notification and furnish the copies of same to the Government.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF THE ANDHRA PRADESH)

T.S. APPA RAO,
PRINCIPAL SECRETARY TO GOVERNMENT (UD)

To

The Commissioner of Printing, Stationary and Stores Purchase Department,
A.P. Hyderabad.

The Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority, Hyderabad.
The Commissioner, Greater Hyderabad Municipal Corporation, Hyderabad.

Copy to:

The individual through the Metropolitan Commissioner,
Hyderabad Metropolitan Development Authority, Hyderabad.
The Special Officer and Competent Authority,
Urban Land Ceiling, Hyderabad (in name cover).
The District Collector, Hyderabad District.
Sf/Sc.

// FORWARDED :: BY ORDER //

SECTION OFFICER

APPENDIX
NOTIFICATION

In exercise of the powers conferred by sub-section (1) of Section 15 of Hyderabad Metropolitan Development Authority Act, 2008 (Act No.8 of 2008), the Government hereby makes the following variation to the land use envisaged in the notified Revised Development Plan (Master Plan) of erstwhile Municipal Corporation of Hyderabad (Hyderabad Metropolitan Development Authority), the same having been published in the extraordinary issue of Andhra Pradesh Gazette No.497, Part-I, dated:14.09.2010 as required by sub-section (3) of the said Section.

VARIATION

The site in Pr.No. 1-3-1 Kavadiguda, Hyderabad to an extent of 8400 Sq.Yards, which is presently earmarked for Residential Use Zone in the Revised Development Plan (Master Plan) of erstwhile Municipal Corporation of Hyderabad (Hyderabad Metropolitan Development Authority Core Area) approved in G.O.Ms.No.363, MA & UD Dept., Dated:21.08.2010, is designated as Commercial Use Zone, subject to the following conditions:

1. that the applicants shall obtain prior permission from Hyderabad Metropolitan Development Authority before undertaking any development in the site under reference.

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2. that the owners / applicants shall handover the areas affected under the notified roads to the local bodies at free of cost.
3. that the owners / applicants shall develop the roads free of cost as may be required by the local authority.
4. that the title and land ceiling aspects shall be scrupulously examined by the concerned authorities i.e., Urban Development Authorities / Municipal Corporations / Municipalities before issue of building permission / development permission, and it must be ensured that the best financial interests of the Government are preserved.
5. that the Change of Land Use shall not be used as the sole reason for obtaining exemption from the provisions of Urban Land Ceiling Act, 1976.
6. that after demolition of the existing building, clearances if any required from Urban Land Ceiling authorities should be obtained before approaching the municipal authorities for obtaining permission.
7. that the above change of land use is subject to the conditions that may be applicable under Urban Land Ceiling Act and A.P. Agriculture Ceiling Act.
8. that the owners / applicants are solely responsible for any misrepresentation with regard to ownership / title, Land Ceiling Clearances etc and they will be responsible for any damage claimed by any one on account of change of land use proposed.
9. that the change of land use shall not be used as the proof of any title of the land.
10. that the Change of Land Use does not bar any public agency including Hyderabad Metropolitan Development Authority / Local Authority to acquire land for any public purpose as per Law.
11. that the owner/applicant before undertaking developmental activity in the site u/r existing buildings should be demolished.
12. that the applicant has to fulfill any other conditions as may be imposed by the Competent Authority.
13. that the applicant shall surrender the land affected in widening of roads at Northern side, Southern side and Western side to GHMC free of cost.
14. that the uses permitted under Commercial Use Zone 2(c) in G.O.Ms.No.363, MA & UD Dept., Dated:21.08.2010, shall be allowed.

SCHEDULE OF BOUNDARIES

NORTH	: 100' wide Road
SOUTH	: Road to be widened to 88' and private property.
EAST	: Padmasali Colony
WEST	: existing 4.88 Mtrs. wide land to be widened to 9.14 Mtrs.

T.S. APPA RAO,
PRINCIPAL SECRETARY TO GOVERNMENT (UD)

SECTION OFFICER